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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,028	01/22/2002	George H. Forman	10015812-1	1455
7590	02/24/2006		EXAMINER	
HEWLETT-PACKARD COMPANY Intellectual Property Administration P.O. Box 272400 Fort Collins, CO 80527-2400			KNOWLIN, THJUAN P	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/054,028	FORMAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thjuan P. Knowlin	2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 03 November 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-23 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-23 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 22 January 2002 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment filed on November 03, 2005 has been entered. Claims 1, 12, 13, and 23 have been amended. No claims have been cancelled. No claims have been added. Claims 1-23 are still pending in this application, with claims 1, 12, 13, and 23 being independent.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being anticipated by Cannon et al (US 6,760,413), in view of Horrer (US 6,647,107).
3. In regards to claims 1, 3, 10, 11, 12, 13, 22, and 23, Cannon discloses a telecommunications call system (See Fig. 3 and telephone system 110), apparatus, and method comprising: a telecommunication device (See Fig. 5 and callee ID telephone 10 and 210); associated with said telecommunication device, call-processing means for processing a call, having an input-output port for transmitting call signals to said telecommunications device (See Abstract and col. 2-3 lines 65-17). Cannon, however, does not disclose associated with said call-processing means, sensing means for

providing real-time information signals indicative of real-time activity of plural persons that are proximate said call-processing means, nor wherein said call-processing means conveys said information signals to a caller on a call into said input-output port prior to putting the call through to said telecommunications device. Horrer, however, does disclose associated with said call-processing means (See Abstract), sensing means (Fig. 2 and Steps 51, 54, and 64) for providing real-time information signals (e.g. information pertaining to whether or not the called party's line is busy or if there is no answer) indicative of real-time activity of plural persons (See Fig. 1 and plurality of persons 24 or called person 26) that are proximate said call-processing means (See col. 4 lines 17-38) and call-processing means conveying information signals (e.g. busy or no answer) to a caller on a call into said input-output port prior to putting the call through to said telecommunications device (See col. 4 lines 15-38). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to employ these features into the system, as a way of informing the caller/calling party of the status of called party prior to connecting the call. This process saves the caller/calling party time, by not putting them through to a line that is busy, is a wrong number, or one in which the called party is simply not at the destination at the current time.

4. In regards to claim 2, Cannon discloses the system, further comprising: connected to said call-processing means, an incoming call line and an outgoing call line; connected to the incoming line, a call router (See Fig. 1, Fig. 3, central office 14, and central office 114); a plurality of location-identifiable telecommunications devices connected to the incoming line via the router; and accessible to said router, a database

(See Fig. 3 and local call related information 187) having real-time information representative of current proximity of individuals to each of said telecommunications devices. Cannon, however, does not disclose said router providing said real-time information signals back to the caller to a specific one of said telecommunications devices prior to routing a call thereto. Horrer, however, does disclose said router providing said real-time information signals back to the caller to a specific one of said telecommunications devices prior to routing a call thereto (See col. 4 lines 15-38).

5. In regards to claims 4 and 15, Cannon discloses the system and method, wherein said real-time information is at least one photograph image (See col. 5 lines 27-34).

6. In regards to claims 5, 6, 14, and 16, Cannon discloses the system and method, wherein said real-time information is audio playback of current persons in proximity to said telecommunications device (See col. 5 lines 27-34).

7. Cannon discloses all of claims 7 and 17 limitations, except the system and method, further comprising: means for authenticating identity of said caller prior to said call-processing means conveying said information signals to said caller on a call into said input-output port. Horrer, however, does disclose the system and method, further comprising: means for authenticating identity of said caller prior to said call-processing means conveying said information signals to said caller on a call into said input-output port (See col. 4 lines 15-38).

8. Cannon discloses all of claims 8, 9, 18, 19, 20, and 21 limitations, except the system and method, further comprising: means for providing said caller with a plurality

of options for further action following receipt of said real-time information. Horrer, however, does disclose the system and method, further comprising: means for providing said caller with a plurality of options (e.g. hold or be forwarded to voicemail) for further action following receipt of said real-time information (See col. 5 lines 63-66).

***Response to Arguments***

9. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

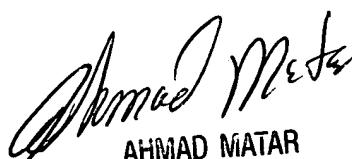
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2642

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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